

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INSITUFORM TECHNOLOGIES, INC.,)
v.)
Plaintiff,)
)
AMERICAN HOME ASSURANCE)
COMPANY,)
Defendant.)
)
CASE NO. 04-10487 GAO

**AMERICAN HOME ASSURANCE COMPANY'S ASSENTED TO MOTION
FOR LEAVE TO FILE A REPLY MEMORANDUM IN SUPPORT
OF ITS MOTION TO STAY DISCOVERY**

Pursuant to Local Rule 7.1(B), Defendant American Home Assurance Company (“American Home”) hereby moves, with the assent of Plaintiff Insituform Technologies, Inc. (“Insituform”), for leave to file the accompanying Reply Memorandum in Support of its Motion to Stay Discovery, attached. In support of this Motion, American Home states the following:

1. American Home’s attached Reply is necessary to respond to certain arguments contained in Insituform’s Response to American Home’s Motion to Stay Discovery not previously presented to the Court, and American Home’s Reply will assist the Court in its consideration of the pending Motion to Stay Discovery.
2. It is in the interest of justice to permit American Home to file the Reply and the filing thereof will neither prejudice Insituform nor delay resolution of the pending Motion to Stay Discovery.
3. Counsel for Insituform assents to the relief requested in this Motion.

WHEREFORE, American Home requests that its Motion for Leave to File a Reply Memorandum be granted.

LOCAL RULE 7.1(A) CERTIFICATION

By signing below, the undersigned certifies that he conferred with Insituform's counsel on September 21, 2006, and Insituform's counsel assents to the relief requested in this Motion.

Respectfully submitted,

AMERICAN HOME ASSURANCE COMPANY,

By its attorneys,

/s/ Kurt M. Mullen

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Dated: September 21, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by first class mail on September 21, 2006 and upon all parties registered for electronic notification via the Court's electronic filing system.

/s/ Kurt M. Mullen
Kurt M. Mullen